

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HOLOGIC, INC., AND CYTYC SURGICAL
PRODUCTS, LLC,

Plaintiffs,

v.

MINERVA SURGICAL, INC.,

Defendant.

C.A. No. 15-1031-JFB-SRF

JUDGMENT FOLLOWING JURY VERDICT

This action came before the Court for a trial by jury beginning on July 16, 2018. The jury rendered its verdict on July 27, 2018. The verdict was accompanied by the verdict form (D.I. 498 and 499), a copy of which is attached hereto.

On June 28, 2018, the Court issued an Order, *inter alia*, granting Plaintiffs' motion for a summary judgment of no invalidity, Plaintiff's motion for a summary judgment of infringement, and Plaintiffs motion for a summary judgment with respect to assignor estoppel. D.I. 408.

IT IS HEREBY ORDERED AND ADJUDGED that judgment be and is hereby entered on the July 27, 2018 verdict as set forth in the attached verdict form and on the June 28, 2018 Order (D.I. 408).

IT IS FURTHER NOTED that this Judgment Following Jury Verdict is subject to revision pursuant to any rulings on post-trial motions.

IT IS SO ORDERED AND ADJUDGED.

August 13, 2018



SENIOR UNITED STATES DISTRICT JUDGE

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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PRODUCTS, LLC,

Plaintiffs,

v.

MINERVA SURGICAL, INC.,

Defendant.

1:15CV1031

VERDICT

We, the jury, find by a preponderance of evidence, as follows:

I. PATENT DAMAGES

- As instructing in Instructions Nos. 13 to 22, we find Hologic is entitled damages for: (answer YES to only one)

○ ☒ Lost profits (Answer question I.a)

OR

○ _____ Only a Reasonable Royalty (Answer question I.b)

I.a If you find that Hologic is entitled to lost profits answer the following:

- For lost profits of \$ 4,200,529.75 and,
- For royalties for sales not included in lost profits \$ 587,138.48, a royalty of 8 %

I.b If you find that Hologic is entitled to only a Reasonable Royalty:

- For a reasonable royalty \$ _____, a royalty of _____ %.

II. WILLFUL INFRINGEMENT

- As instructed in Instruction No. 23, we find Minerva's infringement of the '348 patent was

☐ Willful

☒ Not willful

III. MINERVA'S COUNTERCLAIMS

A. Breach of Contract

- On Minerva's claim for breach of contract, as instructed in Instruction No. 35, we find in favor of

☐ Minerva or ☒ Hologic

B. Lanham Act

- On Minerva's claim of false advertising under the Lanham Act, as instructed in Instruction No. 33, we find in favor of

☐ Minerva or ☒ Hologic

If you found in favor of Hologic your deliberations are at an end.

If you found in favor of Minerva, answer the following:

- What is the amount of money required to compensate Minerva for any actual injury?

\$ _____

- What is the amount of additional profits Hologic gained as a result of the false advertising?

\$ _____

○ Was Hologic's conduct willful?

_____ Yes

_____ No

Your deliberations are at an end. Please have your foreperson sign and date this form.

DATED this 27 day of July, 2018.

[REDACTED]

FOREPERSON

JURORS:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]